

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK**

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CAYUGA NATION, CLINT HALFTOWN,  
TIMOTHY TWOGUNS, GARY WHEELER,  
DONALD JIMERSON, MICHAEL  
BARRINGER, RICHARD LYNCH, B.J.  
RADFORD, AND JOHN DOES 8-20,

Plaintiffs,

v.

No. 5:14-cv-1317-DNH-ATB

HOWARD TANNER, VILLAGE  
OF UNION SPRINGS CODE ENFORCEMENT  
OFFICER, IN HIS OFFICIAL CAPACITY;  
BUD SHATTUCK, VILLAGE OF UNION  
SPRINGS MAYOR, IN HIS OFFICIAL  
CAPACITY; CHAD HAYDEN, VILLAGE OF  
UNION SPRINGS ATTORNEY, IN HIS  
OFFICIAL CAPACITY; BOARD OF  
TRUSTEES OF THE VILLAGE OF UNION  
SPRINGS, NEW YORK; AND THE VILLAGE  
OF UNION SPRINGS, NEW YORK,

Defendants.

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**STIPULATION AND [PROPOSED] ORDER**

WHEREAS the Court on May 21, 2019 granted the parties' Joint Motion to Modify Pretrial Schedule setting deadlines for the parties to produce documents (by May 31, 2019), to conduct depositions (by June 14, 2019), to identify facts that can be agreed to by stipulation (by June 21, 2019), to file simultaneous cross-motions for summary judgment (by July 22, 2019), and to file simultaneous response briefs on summary judgment (by August 21, 2019);

WHEREAS the parties have produced to each other hundreds of pages of documents, have conducted a deposition, and have exchanged proposed stipulated facts, as contemplated by the May 21, 2019 order;

WHEREAS the parties are continuing their efforts to work collaboratively to complete discovery (including to produce documents requested pursuant to supplemental requests by Defendants following the deposition) and to identify facts that can be agreed to by stipulation;

WHEREAS the parties jointly desire a short, 30-day extension of the current schedule so that they may continue their efforts to work collaboratively to complete discovery and to identify facts that can be agreed to by stipulation;

IT IS HEREBY STIPULATED AND AGREED THAT:

1. The prior scheduling order, entered May 21, 2019, is VACATED;
2. The case shall then proceed in accordance with the following pretrial schedule:
  - a. July 22, 2019: Parties shall identify all facts that can be agreed to by stipulation;
  - b. August 21, 2019: Parties shall file simultaneous cross-motions for summary judgment; and
  - c. September 20, 2019: Parties shall submit simultaneous response briefs on summary judgment, with no replies permitted.

DATED: July 9, 2019

On behalf of Plaintiffs:

By: /s/ David W. DeBruin  
David W. DeBruin (*pro hac vice*)  
JENNER & BLOCK LLP  
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Suite 900  
Washington, DC 2001  
(202) 639-6000

On behalf of Defendants:

By: /s/ David H. Tennant  
David H. Tennant  
Law Office of David Tennant PLLC  
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Suite 345  
Rochester, New York 14618  
(585) 708-9338

DATE:

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IT IS SO ORDERED:

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United States District Judge